

**BEFORE THE APPEALS BOARD
FOR THE
KANSAS DIVISION OF WORKERS COMPENSATION**

Docket No. 141,907

NUNC PRO TUNC ORDER

The Appeals Board herein finds that an error was made in the Award entered by the Appeals Board in the above-captioned matter on May 27, 1994. Specifically, the Appeals Board notes that the weeks of temporary total disability compensation paid in this matter were miscalculated and that portion of the Award is therefor amended nunc pro tunc to read as follows:

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Award of Special Administrative Law Judge William F. Morrissey dated January 6, 1994, be modified in that the claimant, Nancy Kay Thomas, is hereby awarded compensation against the respondent, Boeing Military Airplanes, and its insurance carrier, Aetna Casualty and Surety Company, for 55 weeks of temporary total disability compensation at the rate of \$271.00 per week in the sum of \$14,905.00 followed by 360 weeks of permanent partial general disability compensation at the rate of \$23.76 per week totalling \$8,553.60 for a six percent (6%) permanent partial general disability to the body as a whole on a functional basis, for a total award of \$23,458.60.

As of May 16, 1994, there would be due and owing to the claimant 55 weeks of temporary total disability compensation at the rate of \$271.00 per week in the sum of \$14,905.00, followed thereafter by 193.14 weeks of permanent partial general disability at the rate of \$23.76 per week totalling \$4,589.01, followed thereafter by 166.86 weeks

permanent partial general body disability at the rate of \$23.76 per week totalling \$3,964.59 until fully paid or until further order of the Director.

Pursuant to K.S.A. 44-536, the claimant's contract of employment with her counsel is hereby approved.

Fees necessary to defray the expenses of the administration of the Kansas Workers Compensation Act are hereby assessed fifty percent (50%) against the respondent with and fifty percent (50%) against the Kansas Workers Compensation Fund to be paid as follows:

WILLIAM F. MORRISSEY	
Special Administrative Law Judge	\$ 150.00
DEPOSITION SERVICES	
Transcript of Regular Hearing	\$ 216.00
Deposition of Forney Fleming, M.D.	Unknown
Deposition of Charles Pence, M.D.	\$ 299.20
TOTAL	\$ 515.20
DON K. SMITH & ASSOCIATES	
Deposition of Ernest R. Schlachter, M.D.	\$ 244.75
Deposition of Jim Molski	\$ 557.50
Deposition of Edward Lee, M.D.	\$ 382.50
Deposition of Nancy Thomas	\$ 427.50
Deposition of Robert Daniels, M.D.	\$ 303.25
TOTAL	\$1915.50
HOSTETLER & ASSOCIATES, INC.	
Deposition of Stephen L. Sturdevant, Ph.D.	\$ 621.05

In all other respects the original order of May 27, 1994, issued by the Workers Compensation Appeals Board shall remain in full force and effect.

IT IS SO ORDERED.

Dated this ____ day of June, 1994.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Norman I. Cooley, 532 N. Market, Wichita, KS 67214-3589
Vaughn Burkholder, 700 Fourth Financial Center, Wichita, KS 67202
James R. Roth, PO Box 127, Wichita, KS 67201-0127
William F. Morrissey, Special Administrative Law Judge
George Gomez, Director